

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JAN BUETTGEN, On Behalf of Himself	§	
and All Others Similarly Situated,	§	
	§	
Plaintiff,	§	CIVIL ACTION NO.
	§	
v.	§	No. 3:09-CV-0791-K
	§	(Consolidated with Nos.
KATHERINE J. HARLESS, et al.,	§	3:09-CV-0938-K and 3:09-
	§	CV-1049-K)
Defendants.	§	

**ORDER**

Before the Court is Defendants' Motion to Dismiss the Consolidated Amended Class Action Complaint (Doc. No. 60). The Motion is **DENIED**.

Also before the Court is Lead Plaintiff's Notice of Motion to Strike or, in the Alternative, to Convert Defendants' Motion to Dismiss into a Motion for Summary Judgment (Doc. No. 67). The Motion is **DENIED**.

**SO ORDERED.**

Signed August 11<sup>th</sup>, 2010.

  
ED KINKEADE  
UNITED STATES DISTRICT JUDGE